NLRB Administrative Judge Finds Employee Facebook Post Was Protected Speech

News

A recent decision by the National Labor Relations Board attempts to define further the boundaries of protected speech under the National Labor Relations Act, reports Seyfarth Shaw in its Employment Law Lookout blog.

Mylan to Pay $465 Million Over EpiPen Medicaid Rebate Dispute

News

At issue is whether Mylan made more money on EpiPen than warranted from state Medicaid programs by having it classified as a generic product, Reuters is reporting.

New York Proposes Cybersecurity Regulation for

Insurance Companies, Banks, Financial Institutions

Insight

If enacted, this change would bring the first statewide regulation mandating that insurance companies, banks, and other financial institutions create such a program, reports Jason O. Balogh, a partner with Hickey Smith LLP.

Litigator Craig Woods Joins Dykema's Dental Service Organizations Industry Group in Dallas

News

Dykema, a national law firm, announced the addition of Craig Woods to its Commercial Litigation Practice Group and Dental Service Organizations Industry Group as a member in the firm's Dallas office.

Former Baylor Title IX

Coordinator Patty Crawford Says She Was Set Up to Fail

News

Baylor University hired Crawford in November 2014 to handle Title IX directives and the university's sexual discrimination policies, including sexual assault complaints.

Delivery By Drone? Maybe When Pigs Fly, Says FAA

Insight

New regulations permit use of drones for some commercial purposes, but the FAA declined to clear the way for package delivery by drone, according to an article on the Arent Fox's Behind the Scenes blog.

Payday Loan Mogul Scott Tucker's $1.3 Billion Judgment is a Record for the FTC

News

The Federal Trade Commission, in its first public remarks

since a federal judge last week entered a $1.3 billion judgment against payday loan businessman Scott Tucker, called the penalty the largest of its kind, reports *The Kansas City Star*.

Obama Takes Aim at U.S. Corporations Shifting Profit Overseas

News

Reuters is reporting that U.S. regulations, proposed by the Treasury to crack down on companies that try to reduce taxes by rebasing abroad, have begun a White House review and could be finalized shortly.

Executive Pay Clawbacks Are Gratifying, but Not Particularly Effective

News

If the goal of compensation clawbacks is to keep corporate executives honest, then they aren’t doing the job, according to a report by *The New York Times*.

U.S. Clean Power Plan Remains on Firm Legal Ground Says AWEA

News

While the oral arguments about the merits of the Clean Power Plan are heard by the US Court of Appeals for the D.C. Circuit, the American Wind Energy Association (AWEA) remains confident the plan will be upheld by the courts, reports *Renewable Energy Magazine*.

OSHA Joins SEC in Attacking Confidentiality in Private Settlement Agreements

Insight

The federal Occupational Safety and Health Administrationreleased new policy guidelines in September for its review of private settlement agreements presented to the agency for approval in whistleblowing actions, reports Littler Mendelson P.C.

Thomson Reuters, Clifford Chance Deliver OTC Derivatives Documentation Solutions

News

Thomson Reuters and Clifford Chance have joined forces to help global financial institutions deal in a more cost-effective manner with regulatory obligations relating to margin rules for uncleared over-the-counter (OTC) derivatives, Thomson Reuters announced.

Salesforce Pushes Regulators to Block Microsoft's LinkedIn Deal

News

The combative remarks hint at a renewed chill in the relationship between Salesforce and Microsoft," writes CNN's Seth Fiegerman.

Trump Foundation Lacks Certification Required for Charities That Solicit Money

News

The Washington Post is reporting that the charitable Donald J. Trump Foundation – which has been sustained for years by donors outside the Trump family – has never obtained the certification that New York requires before charities can solicit money from the public, according to the state attorney general's office.

Newly Organized Employer Must Bargain Discretionary Employee Discipline Pre-First Contract

Insight

Jackson Lewis reports that, prior to entering into a first contract, an employer has a statutory obligation to bargain with the union that represents its employees before imposing discretionary "serious discipline" (such as suspension, demotion, or discharge) on any of those employees, the National Labor Relations Board again has held.

When Arbitration Is Favored Despite USERRA Violations

Insight

The Eleventh Circuit found in *Bodine v. Cook's Pest Control Inc.* that an arbitration agreement in an employment contract is enforceable despite the fact that certain provisions of the arbitration agreement violate the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA).

New Risk for GCs – Contracts With Human Rights Clauses

Insight

A survey of 275 GCs and senior counsel found that 46 percent of businesses now have a human rights policy in place. For companies in the $10bn+ revenue bracket, that figure rises to 84 percent, reports Legal Business.

Employers Under Fire for Improper Use of Independent Contractors

News

Two Gulf Coast oilfield services and marine staffing firms

recently agreed to pay more than $500,000 in fines to settle federal lawsuits that alleged they skirted employment rules and overtime laws by improperly paying workers as contractors to reduce overtime costs.

Florida AG Defends Decision to Take Money From Trump

News

Florida Attorney General Pam Bondi said she had no regrets about asking Donald Trump for money and no regrets about keeping the donation even after New York Attorney General Eric Schneiderman had filed a lawsuit against Trump University, reports the Associated Press.

ExxonMobil Accounting Practices Probed By New York Attorney General

News

New York Attorney General Eric Schneiderman is investigating why Exxon Mobil Corp. hasn’t written down the value of its assets, two years into a pronounced crash in oil prices, reports *The Wall Street Journal*.